

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: By **CHAIRMAN ERNEST BERGSAGEL**, on February 10, 1999 at 8:00 A.M., in Room 317 Capitol.

ROLL CALL

Members Present:

Rep. Ernest Bergsagel, Chairman (R)
Sen. Tom A. Beck, Vice Chairman (R)
Sen. J.D. Lynch (D)
Rep. Matt McCann (D)
Sen. Chuck Swysgood (R)
Rep. Tom Zook (R)

Members Excused: None.

Members Absent: None.

Staff Present: Cassandra Drynan, Committee Secretary
Jane Hamman, OBPP
Pam Joehler, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: None

Executive Action: **HOUSE BILL 5 & 14** - LONG RANGE
BUILDING PROGRAM

DISCUSSION & EXECUTIVE ACTION - HB 5 & 14

Mr. Tom O'Connell, Department of Administration, explained the intent of draft bill **LC0249**, **EXHIBIT(jlh33a01)**.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 3.8}

REP. ZOOK asked about language in the proposed bill.

{Tape : 1; Side : A; Approx. Time Counter : 3.8 - 5.0}

Ms. Jane Hamman, OBPP, explained that **Mr. Greg Petesch** had the intention to revise **LC0249** by adding amendments approved by the committee and resubmitting it as if it were the original bill. She then explained the amendments being offered,

EXHIBIT(jlh33a02).

{Tape : 1; Side : A; Approx. Time Counter : 5.5 - 7.5}

Mr. Bob Lashway, Director of the Office of Facilities Services, MSU, explained the proposed amendment for the classroom-laboratory building project at Montana State University-Bozeman in **EXHIBIT 2**. He distributed **EXHIBIT(jlh33a03)**.

{Tape : 1; Side : A; Approx. Time Counter : 7.5 - 10.6}

CHAIRMAN BERGSAGEL commented that the experimental design of the building made him leery of providing operation and maintenance moneys from state funds. Discussion followed.

{Tape : 1; Side : A; Approx. Time Counter : 10.6 - 12.9}

Motion/Vote: **SEN. BECK** moved to **ALLOW MR. PETESCH TO REVISE LC0249 BY ADDING THE PROPOSED AMENDMENTS (EXHIBIT 2) AND RESUBMIT IT AS A NEW BILL**. Motion carried unanimously.

{Tape : 1; Side : A; Approx. Time Counter : 13.2 - 14}

Ms. Hamman distributed **EXHIBIT(jlh33a04)** and discussed the legislative intent regarding the funding of operation and maintenance (O&M) costs for various University facilities.

{Tape : 1; Side : A; Approx. Time Counter : 14.6 - 18.5}

SEN. BECK asked how much the O&M would be for the new classroom laboratory building at MSU. **Mr. Lashway** responded, about \$220,000 annually.

{Tape : 1; Side : A; Approx. Time Counter : 18.9 - 19.9}

REP. MCCANN asked what was considered to be academic use, and if museums, galleries or research were considered academic. Discussion followed.

{Tape : 1; Side : A; Approx. Time Counter : 20 - 21.4}

Ms. Pam Joehler, Legal Fiscal Division, explained that she had done university budgets previously and that the state, in the past, had funded the public service function of the universities with current unrestricted funds and that tuition was considered current unrestricted.

{Tape : 1; Side : A; Approx. Time Counter : 21.4 - 23}

SEN. BECK asked if the Renne Library served an academic or public service function. **Ms. Joehler** responded that libraries were considered academic.

{Tape : 1; Side : A; Approx. Time Counter : 23 - 23.5}

CHAIRMAN BERGSAGEL went down the projects in **EXHIBIT 4**. He stated that he thought the university ought to put aside an endowment for the classroom-laboratory project at Bozeman, out of which they would pay O&M.

{Tape : 1; Side : A; Approx. Time Counter : 23.5 - 24.4}

SEN. BECK stated that he thought the state should pay the O&M for classrooms used for academic uses which would be about 50% for the proposed classroom-laboratory. Discussion followed concerning an endowment.

{Tape : 1; Side : A; Approx. Time Counter : 24.4 - 29.5}

Motion/Vote: **SEN. LYNCH** moved **THAT 50% OF THE OPERATION AND MAINTENANCE FOR THE CLASSROOM-LABORATORY AT BOZEMAN BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS AND 50% OUT OF RESEARCH, PRIVATE OR OTHER UNIVERSITY FUNDS. Motion carried with CHAIRMAN BERGSAGEL voting no.**

Motion/Vote: **SEN. LYNCH** moved **THAT 50% OF THE OPERATION AND MAINTENANCE COSTS FOR THE AGRICULTURE BIOSCIENCE BUILDING AT BOZEMAN BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS AND 50% OUT OF RESEARCH, PRIVATE OR OTHER UNIVERSITY FUNDS. Motion carried unanimously.**

{Tape : 1; Side : A; Approx. Time Counter : 29.5 - 30.4}

Discussion: Concerning the Special Education Building at Bozeman.

Motion/Vote: **REP. ZOOK** moved **THAT 100% OF THE OPERATION AND MAINTENANCE COSTS FOR THE SPECIAL EDUCATION BUILDING AT BOZEMAN BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS. Motion carried unanimously.**

{Tape : 1; Side : A; Approx. Time Counter : 30.4 - 31.7}

Motion/Vote: **SEN. BECK** moved **THAT 88% OF THE OPERATION AND MAINTENANCE COSTS FOR THE PHARMACY/PSYCHOLOGY ADDITION IN MISSOULA BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS AND 12% OUT OF RESEARCH, PRIVATE OR OTHER UNIVERSITY FUNDS. Motion carried unanimously.**

{Tape : 1; Side : A; Approx. Time Counter : 31.7 - 32.2}

Discussion: Concerning the addition to the Paxson Gallery. **Mr. Hugh Jesse** explained that the Dean of Arts had estimated that 60% of the gallery's use could be considered academic in nature.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 2.7}

Motion: SEN. LYNCH moved THAT 100% OF THE OPERATION AND MAINTENANCE COSTS, FOR THE ADDITION TO THE PAXSON GALLERY, BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS.

Substitute Motion: SEN. BECK moved THAT 50% OF THE OPERATION AND MAINTENANCE COSTS, FOR THE ADDITION TO THE PAXSON GALLERY, BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS AND 50% OUT OF RESEARCH, PRIVATE OR OTHER UNIVERSITY FUNDS.

Substitute Motion: SEN. SWYSGOOD moved THAT 40% OF THE OPERATION AND MAINTENANCE COSTS, FOR THE ADDITION TO THE PAXSON GALLERY, BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS AND 60% OUT OF RESEARCH, PRIVATE OR OTHER UNIVERSITY FUNDS. Discussion followed.

{Tape : 1; Side : B; Approx. Time Counter : 2.7 - 4.5}

Vote: The question was called for on SEN. SWYSGOOD'S MOTION. Motion carried with REP. MCCANN and SEN. LYNCH voting no.

{Tape : 1; Side : B; Approx. Time Counter : 4.5 - 5.5}

Discussion: Concerning the Nondenominational Chapel at the College of Technology, Butte. SEN. LYNCH asked how chapels at other universities paid for their O&M.

Motion/Vote: SEN. SWYSGOOD moved THAT 100% OF THE OPERATION AND MAINTENANCE COSTS FOR THE NONDENOMINATIONAL CHAPEL AT TECH, BE PAID FOR OUT OF PRIVATE OR OTHER UNIVERSITY FUNDS. Motion carried with SEN. LYNCH voting no.

{Tape : 1; Side : B; Approx. Time Counter : 5.5 - 7.4}

Motion/Vote: SEN. BECK moved THAT 30% OF THE OPERATION AND MAINTENANCE COSTS FOR THE FORESTRY/JOURNALISM ADDITION AT MISSOULA BE PAID OUT OF CURRENT UNRESTRICTED FUNDS AND 70% OUT OF RESEARCH, PRIVATE OR OTHER UNIVERSITY FUNDS. Motion carried with REP. MCCANN and SEN. LYNCH voting no.

{Tape : 1; Side : B; Approx. Time Counter : 7.4 - 8.5}

Motion/Vote: SEN. BECK moved THAT 100% OF THE OPERATION AND MAINTENANCE COSTS, FOR THE NATIVE AMERICAN STUDIES CENTER AT MISSOULA, BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS. Motion carried unanimously.

{Tape : 1; Side : B; Approx. Time Counter : 8.5 - 9.3}

Motion/Vote: SEN. BECK moved THAT 24% OF THE OPERATION AND MAINTENANCE COSTS, FOR THE LIFE SCIENCES BUILDING AT MISSOULA, BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS AND 76% OUT OF

RESEARCH, PRIVATE OR OTHER UNIVERSITY FUNDS. Motion carried with REP. MCCANN and SEN. LYNCH voting no.

{Tape : 1; Side : B; Approx. Time Counter : 9.4 - 10.4}

Mr. Jake Ankeny, University of Montana, commented that he was concerned about the O&M being paid for with current unrestricted funds as tuition was considered current unrestricted.

{Tape : 1; Side : B; Approx. Time Counter : 10.4 - 11.2}

Discussion: Concerning the Rural Technology Education Center at Western.

Motion/Vote: SEN. SWYSGOOD moved **THAT 100% OF THE OPERATION AND MAINTENANCE COSTS, FOR THE RURAL TECHNOLOGY EDUCATION CENTER AT WESTERN, BE PAID FOR OUT OF CURRENT UNRESTRICTED FUNDS. Motion carried unanimously.**

{Tape : 1; Side : B; Approx. Time Counter : 11.2 - 12.7}

SEN. BECK stated that he had already moved that 100% of the operation and maintenance for the Renne Library be paid for out of current unrestricted funds.

REP. MCCANN expressed his concern that the students would be picking up these operation and maintenance costs through tuition increases. Discussion followed.

{Tape : 1; Side : B; Approx. Time Counter : 12.8 - 16}

Ms. Joehler explained the amendments to **HB 5** and **HB 14** in **EXHIBIT (j1h33a05)**.

{Tape : 1; Side : B; Approx. Time Counter : 16 - 18.9}

REP. ZOOK asked if the word "construction" could be struck from the second amendment to **HB 5**. The committee agreed that it would be a good idea.

Ms. Joehler continued her explanation.

{Tape : 1; Side : B; Approx. Time Counter : 16 - 23}

SEN. SWYSGOOD asked if the language would have to be changed if the Women's Prison was put back into the budget. Discussion followed. **CHAIRMAN BERGSAGEL** commented that it was a stretch to use federal funds for the Wallace and Pine Hills expansions.

{Tape : 1; Side : B; Approx. Time Counter : 23 - 24.6}

Mr. Scott Craigle stated that there was a 10% federal match required for the Women's Prison expansion project. The committee agreed that language would be drafted to include this in the bill.

{Tape : 1; Side : B; Approx. Time Counter : 24.6 - 25.6}

SEN. BECK commented that the department had much more bonding authority than a 10% match for the Women's Correction Facility and asked why that was. **Mr. Craigle** responded.

{Tape : 1; Side : B; Approx. Time Counter : 25.6 - 26.3}

Ms. Joehler asked if the money for the 10% match would be coming from bonding authority. Discussion followed. **Ms. Joehler** continued her explanation.

{Tape : 1; Side : B; Approx. Time Counter : 26.4 - 29.8}

SEN. BECK asked about amendments that were made to the Department of Administration's request.

Ms. Joehler distributed **EXHIBIT(jlh33a06)**, a worksheet reflecting the executive action that the committee had taken on February 9th.

REP. MCCANN explained that he wanted \$50,000 to go to do a feasibility study at MSU-Northern. Discussion followed.

{Tape : 1; Side : B; Approx. Time Counter : 29.9 - 2:A:0.9}

Motion/Vote: **REP. MCCANN** moved **THAT \$50,000 GO TO FUND THE APPLIED TECHNOLOGY FEASIBILITY STUDY AT MSU-NORTHERN.** Motion carried unanimously.

{Tape : 2; Side : A; Approx. Time Counter : 1 - 1.4}

Discussion: The committee agreed to wait a day before taking executive action on **HB 5 & 14** as amended.

{Tape : 2; Side : A; Approx. Time Counter : 1.4 - 2.3}

Mr. Tom O'Connell, asked the committee for direction as to whether or not he should go ahead with a project to make the Bozeman Armory ADA accessible. Discussion followed. The committee agreed that he should not do the project.

{Tape : 2; Side : A; Approx. Time Counter : 2.3 - 3.3}

DISCUSSION & EXECUTIVE ACTION - HB 5 & 14 - CLOSED

ADJOURNMENT

Adjournment: 11:00 A.M.

REP. ERNEST BERGSAGEL, Chairman

CASSANDRA DRYNAN, Secretary

EB/CD

EXHIBIT (j1h33aad)